

Federal Defenders
OF NEW YORK, INC.

Southern District
300 Quarropas Street, Room 260
White Plains, N.Y. 10601-4150
Tel: (914) 428-7124 Fax: (914) 997-6872

David E. Patton
Executive Director
and Attorney-in-Chief

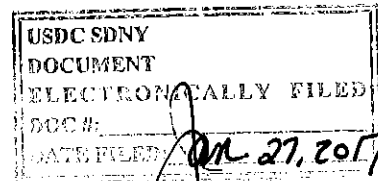
Susanne Brody
Attorney-in-Charge
White Plains

MEMO ENDORSED

January 25, 2017

BY HAND

The Honorable Cathy Seibel
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601



Re: *United States v. Matthew Sauer*, 16cr0565-CS

Dear Judge Seibel:

This letter is written with regard to the above captioned case and to respectfully request an adjournment of the sentencing hearing, which is currently scheduled for February 10, 2016, at 1:30 p.m., to a date in mid-March. The parties are awaiting receipt of the Court-ordered psychosexual evaluation, which is relevant to sentencing in this case. Counsel for Mr. Sauer spoke with Katrina Minus-Shepard this morning regarding the status of the report. Ms. Shepard indicated she has received it and will be distributing it to the parties. The defense will need time to review the report, and consult with its own expert regarding findings in the report. As a result, the defense will be unable to file a sentencing letter by this Friday, which is the date it is due to the Court. The defense also is awaiting additional mitigation materials regarding Mr. Sauer's current physical health, which has been deteriorating due to injuries he sustained in a car accident.

Defense counsel spoke with Assistant United States Attorney Hagan Scotten regarding this request. The government joins in the request given its need to obtain and review the report and then prepare its own sentencing submission.

Thank you in advance for your consideration of this request.

Respectfully submitted,

/s Jason I. Ser
Jason I. Ser
Counsel for Mr. Sauer

Sentencing adjourned to:

MARCH 15, 2017
@ 10:30 A.M.

SO ORDERED:

Cathy Seibel

HONORABLE CATHY SEIBEL
United States District Judge

cc: Hagan Scotten, A.U.S.A. (via email)